

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

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**IN RE YASMIN AND YAZ (DROSPIRENONE)  
MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION**  
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**3:09-md-02100-DRH-PMF  
MDL No. 2100**

**This Document Relates to:**

**Judge David R. Herndon**

*Davis v. Bayer Corp et al.* No. 3:09-cv-20112--  
DRH-PMF

*Shaw v. Bayer Healthcare Pharmaceuticals,  
Inc. et al.* No. 3:10-cv-10915-DRH-PMF

*Jones v. Bayer Corporation et al.* No. 3:10-cv-  
11424-DRH-PMF

*Bryant v. Bayer Corporation et al.* No. 3:10-cv-  
13526-DRH-PMF

*Foreman et al. v. Bayer Corporation et al.* No.  
3:10-cv-20190-DRH-PMF<sup>1</sup>

*Harvey et al v. Bayer Healthcare  
Pharmaceuticals, Inc. et al.* No. 3:11-cv-10024-  
DRH-PMF<sup>2</sup>

*Kieffer v. Bayer Healthcare Pharmaceuticals  
Inc. et al.* No. 3:11-cv-11577 -DRH-PMF

*Rodriguez v. Bayer Corporation et al.* No.  
3:12-cv-11676-DRH-PMF

*Garcia et al v. Bayer Healthcare  
Pharmaceuticals, Inc. et al.* No. 3:14-cv-10163-  
DRH-PMF<sup>3</sup>

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<sup>1</sup> This Order applies to plaintiff Alide Nunez only.

<sup>2</sup> This Order applies to plaintiff Angela Harvey only. As all other plaintiffs have previously been dismissed, this order closes the case and the matter will be terminated from the Court's docket.

*Najduch et al v. Bayer Healthcare  
Pharmaceuticals, Inc. et al.* No. 3:14-cv-10173-  
DRH-PMF<sup>4</sup>

*Nachreiner v. Bayer Corp et al.* No. 3:15-yz-  
00360-DRH-PMF

*Savage v. Bayer Corp et al.* No. 3:15-yz-  
00376-DRH-PMF

### **ORDER GRANTING DISMISSAL WITHOUT PREJUDICE**

#### **HERNDON, District Judge:**

This matter is before the Court on Defendant's (Bayer HealthCare Pharmaceuticals Inc.) motions for an order dismissing the above captioned plaintiffs' claims without prejudice for failure to file an appearance as required by this Court's Order and Local Rule 83.1(g)(2).

In each of the above captioned cases, the Court granted a motion to withdraw filed by counsel. The orders granting leave to withdraw expressly provided that if the subject plaintiff (or her new counsel) failed to file a timely supplementary entry of appearance, the action would be subject to dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the orders of this Court. To date, and in violation of this Court's orders and Local Rule 83.1(g), the above captioned plaintiffs have not filed a supplementary appearance. In addition, the above captioned plaintiffs have not responded to the pending motions to dismiss.

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<sup>3</sup> This Order applies to plaintiff *Yvonne Garcia* only.

<sup>4</sup> This Order applies to plaintiff *Gloria Valez* only.

The plaintiffs must comply with the Local Rules and this Court's orders. Fed. R. Civ. P. 41(b). Accordingly, for the reasons stated herein, the claims of the above captioned plaintiffs are hereby **DISMISSED** without prejudice. To the extent that all plaintiffs in the above captioned actions have been dismissed, the Court directs the Clerk to terminate the action from the Court's docket.

**IT IS SO ORDERED.**

Signed this 21st day of December, 2015.

  
Digitally signed  
by Judge David  
R. Herndon  
Date: 2015.12.21  
14:24:50 -06'00'



**United States District Judge**